

REMARKS

Claims 1-28 are rejected on the ground of nonstatutory obviousness-type double patenting. Claims 1-28 remain at issue.

Applicants respectfully request reconsideration of the application, withdrawal of all rejections and allowance of the application in view of the amendments above and remarks below.

*Amendments to the Claims*

Without prejudice to the Applicants' right to present claims of equal scope in a timely filed continuing application to expedite prosecution and issuance of the application, Applicants have amended claims 1, 6, 16 and 24. These amendments are based on the Examiner's suggestion on Page 2, Office Action.

The amendments to the claims do not introduce new matter. Applicants respectfully submit the amendments to the claims put the case in condition for allowance. The Examiner is respectfully requested to reconsider the claims and allow all of the pending claims.

*Double Patenting*

Claims 1-28 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the claims of U.S. Patent No. 7,090,830, in view of Byron. Further, claims 1-28 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the claims of copending application No. 10/633,877. Finally, claims 1-28 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the claims of copending Application Nos. 10/437,643; 10/057,197 and 10/057,198. In each instance, the Examiner states claims 1-28 and the claims of the cited references "are not patentably distinct from each other because the examined claims would have been obvious over the reference claims."

In order to remove the rejection, Applicants file terminal disclaimers with regard to the patents and applications listed above. Copending application No. 10/633,877 has issued as U.S. Patent No. 7,585,493. A terminal disclaimer to this patent number is submitted herewith.

*Conclusion*

Applicants respectfully submit that the Examiner's concerns have been addressed by the amendments above. Applicants accordingly request the Examiner withdraw all rejections and allow the application. In the event the Examiner believes a telephonic discussion would expedite allowance or help to resolve outstanding issues relating to the prosecution of the application, then the Examiner is invited to call the undersigned.

This constitutes a request for any needed extension of time and an authorization to charge all fees therefor to deposit account No. 19-5117, if not otherwise specifically requested. The undersigned hereby authorizes the charge of any fees created by the filing of this document or any deficiency of fees submitted herewith to deposit account No. 19-5117.

Respectfully submitted,

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